

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

No. M 07-1827 SI
MDL No. 1827

This Order Relates to:

**ORDER RE: NOVEMBER 7, 2012 CASE
MANAGEMENT CONFERENCE**

*ATS Claims, Costco, Dell, Electrograph,
Motorola Mobility and Nokia* cases, and all
Track Two Cases

On November 7, 2012, the Court held a case management conference in the *ATS Claims, Costco, Dell, Electrograph, Motorola Mobility and Nokia* cases, and all Track Two cases.

As discussed during the conference, liaison counsel in the Track Two cases will meet and confer regarding proposals to streamline summary judgment practice in the Track Two cases, and will file a joint letter no later than **November 21, 2012**, informing the Court of those proposals.

With regard to *Daubert* motions in the *ATS Claims, Costco, Dell, Electrograph, Motorola Mobility and Nokia* cases, the Court finds that it is in the interest of judicial efficiency for this Court to resolve motions involving experts common to the cases to be tried in this Court and the cases that will be remanded, before remanding those cases. Accordingly, the Court adopts the following briefing schedule: *Daubert* motions to be filed by **November 20, 2012**; oppositions to be filed by **December 7, 2012**; replies to be filed by **December 21, 2012**; and the hearing will be held on **January 11, 2013** at **9:00 a.m.**

The Court hereby informs the parties in the *ATS Claims, Dell, and Nokia* cases that the Court

1 has rescheduled the trial date to **January 28, 2013**, in order to accommodate a criminal trial that takes
2 precedence over these civil cases. The pretrial conference remains scheduled for **January 15, 2013**, at
3 **3:30 p.m.**

4 Finally, the parties in the two *Best Buy* cases disagree about whether those cases should be
5 consolidated for trial, and if so, on what schedule. *Best Buy I* is set for trial in June 2013, and *Best Buy*
6 *II* is on the Track Two schedule. The Court is not inclined to have two separate *Best Buy* trials. At the
7 conference, counsel for Best Buy requested the opportunity to brief this issue. The Court finds that
8 further briefing by the parties in *Best Buy II* will assist the Court in resolving these case management
9 issues. Accordingly, the Court grants Best Buy leave to file a motion addressing potential consolidation
10 of the *Best Buy* cases. The *Best Buy II* parties are directed to address, *inter alia*, the feasibility of
11 consolidating the cases and trying them in June 2013,¹ as well as the possibility of consolidation of the
12 two cases on the Track Two schedule.

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14 **IT IS SO ORDERED.**

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16 Dated: November 8, 2012



17 SUSAN ILLSTON
18 United States District Judge
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27 ¹ On November 8, 2012, the defendants in *Best Buy II* filed a letter setting forth their opposition
28 to moving *Best Buy II* into the Track 1B schedule. The parties can address those arguments in their
briefing.